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By PwC Deutschland | 24 February 2023

Unified Patent Court to start on 1 June 2023

Germany has now ratified the agreement on a Unified Patent Court. With the approval of Germany, the conditions for the entry into force of the Agreement have been met. The Unified Patent Court will start working on 1 June 2023.

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After Germany completed the ratification process of the Agreement on a Unified Patent Court on 17 February 2023, the court can now start its work on 1 June 2023. This will open unitary patent protection in Europe, where disputes will be heard in a single procedure for all participating EU member states on the infringement and validity of patents under the European Patent Convention and the new EU unitary patent. The court will initially decide patent disputes with direct effect for 17 states (Germany, France, Belgium, Bulgaria, Denmark, Estonia, Finland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Austria, Portugal, Sweden, Slovenia). Further EU member states may join the unitary patent protection in the future.

The Court will comprise a Court of First Instance and a Court of Appeal. In addition, a Patent Mediation and Arbitration Centre is foreseen to foster amicable settlements. The Court will be composed of judges from all participating Contracting Member States. The body of judges is comprised of legally qualified judges and technically qualified judges with great expertise in patent litigation.

Source:

Federal Ministry of Justice, press release of 17 Februay 2023.

Keywords

member states, patent court